

CERTIFICATE OF SERVICE

I hereby certify that I caused to be served a copy of the foregoing:

Order

prior to 4:30 p.m. on 9/11, 2013, to the following addresses shown below

regular U.S. Mail, and placed on the Illinois Department of Labor's official website at

www.state.il.us/agency/idol/:

Marc R. Poulos
Indiana Illinois and Iowa
Foundation for Fair Contracting
6170 Joliet Rd., Ste. 200
Countryside, IL 60525

Jeff Naville
Laborers' Midwest Region
#1 N. Old State Capitol Plaza, Ste. 525
Springfield, IL 62701

Brit W. Sowle
Cavanagh & O'Hara, LLP
1609 N. Illinois St.
Swansea, IL 62226

Andrew Martone
Hesse Martone
1650 Des Peres Rd., Ste. 200
St. Louis, MO 63131

Via messenger:

Valerie Puccini/Ronald M. Willis
General Counsel
160 N. LaSalle St., Ste. C-1300
Chicago, IL 60601

A handwritten signature in cursive script, appearing to read "Zolanda Carter", is written over a horizontal line.

**STATE OF ILLINOIS – DEPARTMENT OF LABOR
CONCILIATION/MEDIATION DIVISION
900 S. SPRING STREET
SPRINGFIELD, ILLINOIS 62701**

IN THE MATTER OF:

**STANLEY SIMRAYH, as MEMBER OF THE
INTERNATIONAL UNION OF OPERATING
ENGINEERS, LOCAL #150 and the
INTERNATIONAL UNION OF OPERATING
ENGINEERS, LOCAL #150,**

Petitioner(s),

v.

**JOSEPH COSTIGAN, DIRECTOR OF
LABOR and the ILLINOIS DEPARTMENT OF
LABOR,**

Respondent,

**LABORERS' INTERNATIONAL UNION OF
NORTH AMERICA GREAT PLAINS
LABORERS' DISTRICT COUNCIL,
SOUTHWESTERN ILLINOIS LABORERS'
DISTRICT COUNCIL, SOUTHERN AND
CENTRAL ILLINOIS LABORERS'
DISTRICT COUNCIL,**

And

**MIDWEST REGION LABORERS AND
EMPLOYERS COOPERATION AND
EDUCATION TRUST AND ILLINOIS
LABORERS AND EMPLOYERS
COOPERATION AND EDUCATION TRUST,**

Intervenor(s).

STATE FILE NO.:14'-H-TW07-0013

ORDER

THIS MATTER COMING on to be heard under the Prevailing Wage Act, 820 ILCS 130/0.01-12 and Notice of Hearing issued there under; and, the Associated General Contractors of Illinois' ("AGCI") Petition for Intervention, and Petitioners' Objection to AGCI's Petition for Intervention, all parties having been duly advised on the premises;

FINDINGS

The undersigned set August 2, 2013 as the deadline to file any and all Petition(s) for Intervention. The undersigned further found and ordered that any Petitions filed after that date would be deemed untimely. *See July 12, 2013 Order.* Additionally, both the Laborers International Union as well as LECET were adequately informed through a posting on the website of the Illinois Department of Labor of the deadline by which Petitions to Intervene shall be filed. Both the Laborers International Union and LECET

successfully and timely intervened in this matter. AGCI filed its Petition to Intervene on September 10, 2013, well over 1 month beyond the deadline. AGCI argues that “it did not learn of the hearing or deadline to file petitions for intervention with sufficient time to respond in a meaningful manner”. Absent this argument, AGCI fails to plead why the Notice given by the undersigned was insufficient. The arguments are insufficient to allow AGCI to Intervene.

IT IS HEREBY ORDERED:

AGCI’s Petition to Intervene is denied.

DATE: 9/10/13

/s/ Claudia D. Manley
Claudia D. Manley
Chief Administrative Law Judge

Claudia D. Manley
Chief Administrative Law Judge
Illinois Department of Labor
160 N. LaSalle St., Ste. C-1300
Chicago, IL 60601
V: 312-793-1805
F: 312-793-5257

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Zelanda Carter

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Abbreviations:

HS: Host send
HR: Host receive
WS: Waiting send

PL: Polled local
PR: Polled remote
MS: Mailbox save

MP: Mailbox print
RP: Report
FF: Fax Forward

CP: Completed
FA: Fail
TU: Terminated by user

TS: Terminated by system
G3: Group 3
EC: Error Correct